

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AMEREN TRANSMISSION COMPANY OF ILLINOIS)	
)	
Petition for a Certificate of Public Convenience and)	
Necessity, pursuant to Section 8-406.1 of the Illinois)	
Public Utilities Act, and an Order pursuant to Section 8-)	Docket No. 12-0598
503 of the Public Utilities Act, to Construct, Operate and)	
Maintain a New High Voltage Electric Service Line and)	
Related Facilities in the Counties of Adams, Brown,)	
Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton,)	
Macon, Montgomery, Morgan, Moultrie, Pike,)	
Sangamon, Schuyler, Scott and Shelby, Illinois.)	

**TESTIMONY OF SCOTT R. WEBER ON BEHALF OF THE COLES COUNTY
LANDOWNERS**

Direct Testimony of Scott R. Weber

On Behalf of

Coles County Landowners

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4 **I. INTRODUCTION**

5 **Q. Please state your name for the record.**

6 **A.** Scott R. Weber.

7 **Q. Where do you currently reside?**

8 **A.** 12762 North County Road 2380 E, Ashmore, Illinois, 61912.

9 **II. PURPOSE OF TESTIMONY**

10 **Q. What is the purpose of your testimony?**

11 **A.** The purpose of my testimony is to offer reasons as to why I oppose the construction of
12 ATXI's proposed 345kV transmission line through my property and the surrounding area.
13 As discussed below, the installation of the power lines would render the contract that I
14 currently have with the Charleston Stone Company to mine the limestone located on my
15 land as obsolete.

16 **Q. On whose behalf are you testifying in this proceeding?**

17 **A.** I am testifying on behalf of the Coles County Landowners.

18 **Q. Have you previously testified before the Illinois Commerce Commission?**

19 **A.** No.

20 **III. CONTRACT WITH THE CHARLESTON STONE COMPANY**

21 **Q. What is your occupation?**

22 **A.** I am a farmer. I raise cattle and also do agricultural farming.

23 **Q. What is significant about your property?**

24 **A.** Our property has been in the family for over 50 years.

25 **Q. Where is your property located?**

26 **A.** I own 210-acre tract of real estate in Coles County described as part of the South Half of
27 Section 29, Township 13 North, Range 10 East, Coles County, Illinois, lying east or south
28 of the Embarrass River. PIN: 01-0-00991-000.

29 **Q. What is significant about your property?**

30 **A.** Two years ago, I was approached by the Charleston Stone Company, who wanted to
31 purchase my property for its mineral rights. My property has sufficient quantities of
32 marketable limestone beneath its surface.

33 **Q. Have you entered into any contracts with the Charleston Stone Company?**

34 **A.** Yes. On August 31, 2011, before I even knew about the ATXI'S proposed transmission
35 line, I entered into a contract with Charleston Stone Company for \$2,500.00 as
36 consideration. The contract gave Charleston Stone Company the right to drill and
37 complete tests on my property to verify the existence of sufficient quantities of
38 marketable limestone beneath the property. The drill and test results provided that there
39 were, in fact, sufficient quantities of limestone beneath the surface. As a result,
40 Charleston Limestone now has the option to purchase approximately 150 acres of my 210
41 acres at the price of \$16,000.00 an acre, allowing them to mine the limestone.

42 **Q. How will the power line affect your contract with the Charleston Stone Company?**

43 **A.** If the power line is allowed to be constructed, the mining operations will come to a halt
44 as the stone will no longer be available. The mine cannot blast by power poles and take
45 the rock out. The limestone that is located underneath my property is harder rock and a
46 better quality rock than the quarry is currently farming.

47 **Q.** **Does limestone cover all of your property?**

48 **A.** The limestone does not follow the full length of the farm, but well over half of it. Where
49 the primary line is set to come through, would be in the acreage where the limestone is
50 located and where ATXI wants to set the poles.

51 **Q.** **How is it that you know the poles will be set in the acreage where the limestone is**
52 **located?**

53 **A.** According to the maps provided to me by ATXI, the Primary Route runs parallel to Road
54 1100 in Ashmore Township. I own the south half of Section 29, Township 13, Range 10
55 East in Coles County. My property is on the North side of Road 1100. During the test
56 drilling, limestone was found to be located in the same area reaching approximately 200
57 yards to the north of Road 1100, as well as running east to west the same distance.
58 Attached to my testimony as Coles County Landowners Exhibit 3.1 is a map which
59 shows ATXI's Primary Route. I have written on the map with the word "limestone"
60 where the drilling company drilled and found the limestone. As you can see, the Primary
61 Route goes directly through the same area.

62 **Q.** **How does the Primary Route affect your interests?**

63 **A.** It would cause me to lose significant amounts of money in light of the contract I have
64 entered into with Charleston Stone Company. I have a copy of the agreement that I

entered into with Charleston Stone Company, which reflects the significant amount of money that I will lose should the primary line be allowed.

Q. Attached to your testimony is Coles County Landowners Exhibit 3.2. Is this a true and accurate copy of the contract which you entered into with Charleston Stone Company?

A. Yes.

IV. BALD EAGLE HABITAT

Q. Is there anything else significant in the area?

A. Yes. There is a bald eagle's nest that is located in the area that raised two baby eagles this past spring. If the power lines are allowed to go through, this will affect the bald eagles and their natural habitat. It is my understanding that there are certain regulations over bald eagles concerning the construction of power lines near an active bald eagle nest.

V. CONCLUSION

Q. What are your conclusions regarding the location ATXI'S proposed Primary Route?

A. The location of the Primary Route would result in power poles being constructed and installed on my land. As a result, this would destroy my future income I planned on receiving from the Charleston Stone Company as result of the contract I entered into with the company to mine the limestone. I planned on having this money as income for my retirement. I entered into the contract before I even knew about the proposed power line.

Q. Does this complete your testimony?

A. Yes.